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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,708	03/18/2004	Raymond A. Heimann	P06436US00	7823
27139	7590	05/23/2006	EXAMINER	
MCKEE, VOORHEES & SEASE, P.L.C. ATTN: MAYTAG/ WHIRLPOOL 801 GRAND AVENUE, SUITE 3200 DES MOINES, IA 50309-2721			WILLIAMS, MARK A	
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,708

Applicant(s)

HEIMANN ET AL.

Examiner

Mark A. Williams

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pedoeem, US Patent 5,282,293, in view of Henstrom, US Patent 1,418,076, or Erickson, US Patent 2,135,280, or Morgan, US Patent 4,928,350.

Pedoeem provides, in combination with a cabinet 201 and a door 202, a hinge for pivotally connecting the door to the cabinet, comprising a door leaf 103 mounted within the door; a cabinet leaf 101 mounted on an exterior surface of the cabinet, and an intermediate leaf 102 interconnecting the door and cabinet leaves so as to allow the door to pivot between open and closed positions. A first pin 116 connecting the door leaf and intermediate leaf together and a second pin 109 connecting the cabinet leaf and intermediate leaf together. The first pin is within the door. The intermediate leaf pivots about the second pin and then the door leaf pivots about the first pin when opening the door. The cabinet leaf is fixed relative

to the second pin and the intermediate leaf pivots about the second pin. The door leaf pivots about the first pin and then the intermediate leaf pivots about the second pin when closing the door. At least one of the cabinet leaf and intermediate leaf includes a cam ramp 110 to delay full pivotal movement about the second pin until pivotal movement about the first pin is complete.

Pedoeem discloses the claimed invention except the door leaf, curved portion, an intermediate leaf end, and the first pin each being fully enclosed within the door, as claimed. Such structure is generally known in the art as a means of hiding a hinge pin and associated hinge leaf. Each of Henstrom, Erickson, and Morgan provides similar structure. It would have been obvious at the time the invention was made for one skilled in the art to have modified the device in this way, similarly to that shown in each of Henstrom, Erickson, and Morgan, for the purpose of providing a means of hiding the hinge pin and associated hinge leaf. Such modifications are not considered novel.

Regarding the means plus function language of claim 25, including the cam ramp of claims 28, such a limitation is considered functionally and structurally equivalent to that of Pedoeem, and would be obvious to one skilled in the art.

Response to Arguments

2. Applicant's arguments with respect to claims 25-28 have been considered but are moot in view of the new ground(s) of rejection. After further consideration, the indicated allowable subject matter of the Advisory Action mailed 3/2/06 has been withdrawn.

Conclusion

This action is non-final.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A. Williams whose telephone number is (571) 272-7064. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark Williams
5/22/06 *mw*


BRIAN E. GLESSNER
SUPERVISORY PATENT EXAMINER